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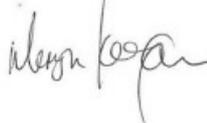
PROJECT: Provision of 3 No. Units at Manor Gardens,
Ballina, Co. Mayo

Screening for Appropriate Assessment
Report.

Prepared by: AONA Environmental Consulting Ltd.

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1 INTRODUCTION

AONA Environmental Consulting Ltd. was commissioned by Mayo County Council to complete a Stage 1 Screening for Appropriate Assessment report under Article 6 of the EU Habitats Directive, for a proposed development of 3 residential units located at A633 Manor Gardens, Ballina. The Report is prepared in the context of an application under Part VIII of the Planning & Development Regulations 2001 (as amended).

The purpose of this Screening Report is to inform the Appropriate Assessment process, which is carried out by the appropriate competent authority, in this case Mayo County Council. This report addresses the potential for construction works and the operational phase of the proposed development to impact on Natura 2000 sites within 15 Km of the proposed site. In particular, the report assesses any likely significant negative effects or impacts on the qualifying interests of the River Moy Special Area of Conservation (SAC 002298) due to the proposed works, both independently and in conjunction with other plans and projects.

The report was drafted by an experienced and qualified ecologist, with specific reference to the European Sites within the zone of influence of the proposed project; taking account the qualifying interests and conservation objectives of these designations. The assessment is determined based on the project details provided by Mayo County Council.

2 THE APPROPRIATE ASSESSMENT PROCESS

2.1 *Legislative Context*

Appropriate Assessment (AA) is an assessment of whether a plan or project, alone and in combination with other plans or projects, has the potential for significant effects on a designated European Site in view of the site's conservation objectives. The assessment of impacts on designated European sites i.e. Special Protection Areas for birds (SPAs) and Special Areas of Conservation (SACs), derives from the EU Directive on the Conservation of Habitats, Flora and Fauna (92/43/EEC), more commonly known as the '*The Habitats Directive*' which provides legal protection for habitats and species of European importance. SPAs and SACs are sites that form part of a network, known as Natura 2000 sites, designated across Europe in order to protect biodiversity within the European Union (EU).

Articles 6(3) and 6(4) of the Habitats Directive set out the decision-making tests for plans and projects likely to affect Natura 2000 sites. Article 6(3) establishes the requirement for Appropriate Assessment: '*Any plan or project not directly connected with or necessary to the management of the [Natura 2000] site but likely to have a significant effect thereon, either individually or in*

combination with other plans or projects, shall be subjected to appropriate assessment of its implications for the site in view of the site's conservation objectives. In light of the conclusions of the assessment of the implications for the site and subject to the provisions of paragraph 4, the competent national authorities shall agree to the plan or project only after having ascertained that it will not adversely affect the integrity of the concerned and, if appropriate, after having obtained the opinion of the general public.'

Article 6(4) states: *'If, in spite of a negative assessment of the implications for the [Natura 2000] site and in the absence of alternative solutions, a plan or project must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, Member States shall take all compensatory measures necessary to ensure that the overall coherence of Natura 2000 is protected. It shall inform the Commission of the compensatory measures adopted.'*

2.2 *Appropriate Assessment Methodology*

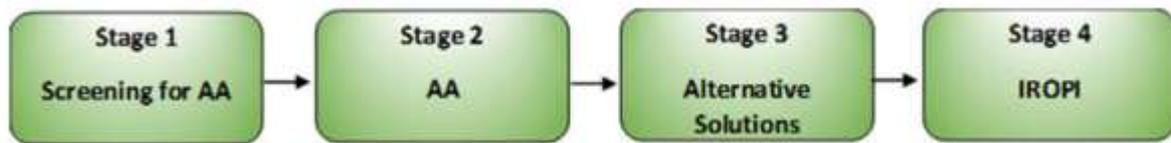
Article 6(3) of the EU Habitats Directive (92/43/EEC) defines the requirement for Appropriate Assessment of certain plans and projects. In order to inform the requirements of this Screening Report the following guidance documents have been referred to:

- *Appropriate Assessment of Plans and Projects in Ireland - Guidance for Planning Authorities.* (Department of Environment, Heritage and Local Government, 2010 revision);
- *Appropriate Assessment under Article 6 of the Habitats Directive: Guidance for Planning Authorities.* Circular NPWS 1/10 & PSSP 2/10;
- *Assessment of Plans and Projects Significantly Affecting Natura 2000 sites: Methodological Guidance on the Provisions of Article 6(3) and (4) of the Habitats Directive 92/43/EEC* (European Commission, 2001);
- *Managing Natura 2000 Sites: The Provisions of Article 6 of the Habitat's Directive 92/43/EEC* (European Commission, 2018);
- *Nature and Biodiversity Cases: Ruling of the European Court of Justice* (European Commission, 2006);
- *Guidance Document on Article 6(4) of the Habitats Directive 92/43/EEC. Clarification of the Concepts of Alternative Solutions, Imperative Reasons of Overriding Public Interest, Compensatory Measures, Overall Coherence.* Opinion of the European Commission (European Commission, 2007);

The Department of the Environment Heritage and Local Government Guidelines (DELHG, 2009), outlines the European Commission's methodological guidance (EC, 2002). This guidance promotes

a four-stage process in completing an AA and outlines the issues and tests at each stage. An important aspect of the process is that the outcome at each successive stage determines whether a further stage in the process is required.

Appropriate Assessment Process (Source: DEHLG, 2009)



Stage 1: Screening - Screening is the process that addresses and records the reasoning and conclusions in relation to the first two tests of Article 6(3):

- whether a plan or project is directly connected to or necessary for the management of the site, and
- whether a plan or project, alone or in combination with other plans and projects, is likely to have significant effects on a Natura 2000 site in view of its conservation objectives.

A project may be “screened-in” if there is a possibility or uncertainty of significant adverse effects upon the European site, thus the process must proceed to Stage 2 (AA). If there is no evidence to suggest significant effects due to the proposed plan or development the project is “screened-out”, and AA is not required. This screening report provides the necessary information to enable the Competent Authority (Mayo Co Co) to screen the proposed project for the requirement to proceed to Stage 2 Appropriate Assessment.

Stage 2: Appropriate Assessment - This stage considers whether the plan or project, alone or in combination with other projects or plans, will have adverse effects on the integrity of a Natura 2000 site, and includes any mitigation measures necessary to avoid, reduce or offset negative effects. A Natura Impact Statement (NIS) containing a professional scientific examination of the proposal is produced and includes any mitigation measures to avoid, reduce or offset negative impacts.

Stage 3: Alternative Solutions - Where adverse effects on a European Site are identified in the AA process (detailed in the NIS), despite the prescription of mitigation, this third stage examines alternative ways of achieving the objectives of the project or plan that avoid adverse impacts on the integrity of the European Site.

Stage 4: Imperative Reasons of Overriding Public Interest (IROPI)/Derogation - This stage is required where an alternative solution is not available. In this situation, the project can only

proceed for Imperative Reasons of Overriding Public Interest (IROPI), despite the plan or project resulting in adverse effects on European Site(s). This stage provides for an assessment of compensation measures to maintain or enhance the overall coherence of the Natura 2000 network. The Commission must be informed of the compensatory measures. Compensatory measures must be practical, implementable, likely to succeed, proportionate and enforceable, and they must be approved by the Minister.

The methodology adopted for this Screening exercise is informed by the EC (2001) guidelines and was undertaken in the following stages:

1. Describe the project and determine whether it is necessary for the conservation management of European Sites;
2. Identify European Sites that could be influenced by the project;
3. Where European Sites are identified as occurring within the sphere of influence of the project; identify potential effects arising from the project and screen the potential for such effects to negatively affect said European Sites; and
4. Identify other plans or projects that, in combination with the project, have the potential to affect European Sites.

Desktop Review - The following documents were referenced during the desk-top study to inform the Appropriate Assessment and the baseline ecology information:

- Online data available on European sites and habitats/species as held by the National Parks and Wildlife Service (NPWS) from www.npws.ie, including conservation objectives documents
- Online data available on protected species as held by the National Biodiversity Data Centre (NBDC) from www.biodiversityireland.ie, specifically related to the records recorded within the 1 km grid square (ITM) – G2418 where the proposed works will occur and the 1 km grid square (ITM) – G2518, immediately adjacent to the proposed site¹.
- Birds of Conservation Concern in Ireland (Gilbert et al, 2021), available at <https://birdwatchireland.ie/birds-of-conservation-concern-in-ireland/>
- Information on the surface water network and surface water quality in the area available from www.epa.ie
- Information on soils, geology and hydrogeology in the area available from the Geological Survey Ireland (GSI) online Spatial Resources service. Available from <https://www.gsi.ie/en-ie/data-and-maps/Pages/Groundwater.aspx>
- Ordnance Survey of Ireland mapping and aerial photography available from www.osi.ie
- GeoHive online mapping (<https://geohive.ie/index.html>)

¹ www.biodiversity.ie accessed 14th September, 2022

- Mayo County Development Plan 2014-2020
- Ballina & Environs Development Plan 2009-2015
- Mayo County Council Planning Portal
- Information on the proposed project supplied by Mayo County Council

3 DESCRIPTION OF THE PROPOSED PROJECT

3.1 Description of Proposed Development

Ballina and Castlebar are the two largest towns in County Mayo; they are of approximately equal size. Ballina has traditionally served as a market town and service centre for a large hinterland incorporating North County Mayo and the west of County Sligo. The town has a peripheral location both within the Country as a whole and within the County. It is on the county's northern coastline, at the tip of Killala Bay, where the River Moy enters the sea.

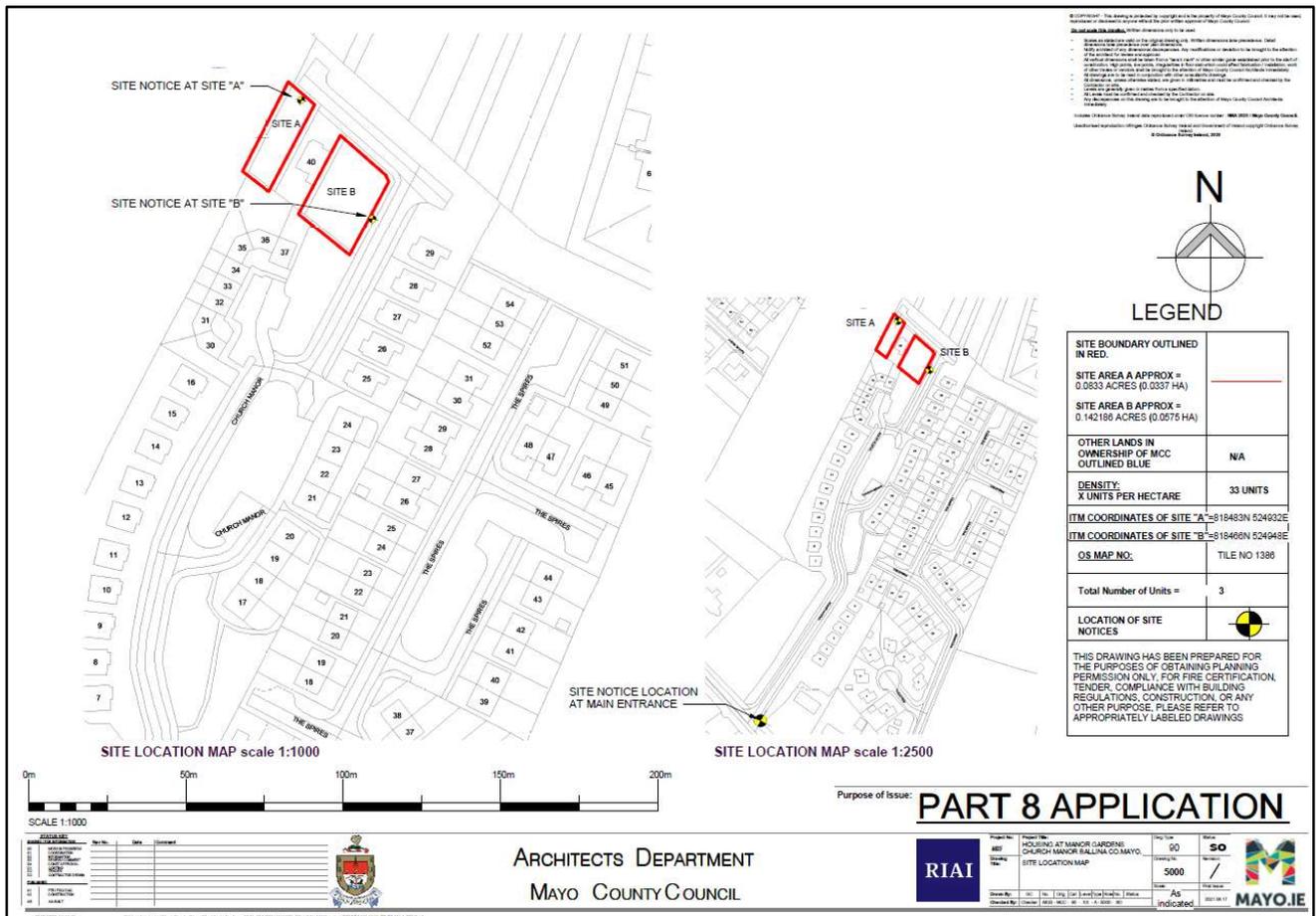
The proposed sites, which consists of a net site area of c. 0.0912 hectares, are greenfield sites within the existing Church Manor housing estate accessed off Church Road, approximately 1km south of Ballina town centre, on lands zoned R1- Residential (Medium Density), in the Ballina & Environs Development Plan 2009-2015 (as extended).

Proposed works include:

- the construction of 3 no. new dwellings comprising 1 No. 3 bed detached house, and 2 No. 3 bed houses in a semi-detached block.
 - Site A (c. 0.0337 hectares) - Construction of 1 no. detached residential dwelling; No. 41, Manor Gardens, Church Manor.
 - Site B (c. 0.0575 hectares) - Construction of 2 no. semi-detached residential dwellings; No 38 and No. 39 Manor Gardens, Church Manor.
- all associated site development works including footways, site boundaries, drainage, landscaping, associated earthworks, public lighting, utilities and services connections, diversions of existing services and all ancillary site works.
- all dwellings will be provided with private gardens, and associated car parking.

Currently these proposed sites are separated by an existing detached house; No 40. Manor Gardens, Church Manor, built under previous planning permission (Ref: 04702491) as shown in Figure 1.

Figure 1: Site Location



It is proposed for the construction of masonry-built houses which will be connected to the existing public network, which serves the existing dwellings within the Church Manor estate. The proposed development is to be connected to the existing water mains and the public sewer system for treatment of wastewater and disposal of surface water. An IW Pre-connection enquiry form was submitted to Irish Water in relation to the proposed development on the 25th of January 2022, for the required Water and Wastewater Connections.

3.2 Description of Receiving Environment

A site survey of the proposed sites was undertaken on 13th September 2022 in which habitats on site were assessed and the suitability of the site to support plants, animals or habitats of note was also considered. Findings of the ecological survey were augmented by desktop research and review of available information.

The local landscape is predominantly residential. The land-use surrounding the proposed project includes buildings and artificial surfaces along with scrub and treelines, amenity grasslands and improved grassland.

Site A: c. 0.0337 hectares is categorised as an area of Scrub (WS1), (Plate 1) bordered to the west, south and east by a block wall and the north by the adjoining road/pavement. This area is dominated by at least 50% cover of shrubs, stunted trees and bramble. The scrub has developed on spoil that has been left unmanaged and saplings of trees/shrubs have gained a foothold, namely, willows (*Salix* spp.) which dominate with Sycamore. The canopy of these trees does not form a distinct continuous canopy as they are localised. Ground vegetation cover is dense, comprised predominately of grasses with ruderal species; Willowherbs, Purple Loosestrife, Common Vetch, Dock, Bindweed, Nettle, Buttercup, Silverweed, and Ribwort Plantain. Grasses such as Annual Meadow Grass, Yorkshire Fog and Creeping Bent and Bramble dominant the sward.

Due to the overall semi-natural state and biodiversity in a local context, scrub present within the study area could be considered to be of higher local value. However, there is low floral diversity and value as a wildlife commuting route and as such limited biodiversity value; this is considered to be of medium local value.

Plate 1: Site A



Site B: c. 0.0575 hectares is categorised as Recolonising bare ground (ED3) (Plate 2). This site is bordered to the west and south a by a block wall and to the east and north by the adjoining road/pavement. This area has not been maintained and has subsequently become naturally colonised by herbaceous plants over time Low-lying herbaceous species and shrub species are common with locally frequent willow and locally occasional Butterfly bush.

Recolonising bare ground is a highly modified habitat type which is transient in nature. While vegetation cover is considered greater than 50%, the recolonising bare ground present is still at an early stage of re-colonisation with bare ground, a low sward height and low floral diversity and as such limited biodiversity value; this is considered to be of lower local value.

Plate 2: Site B**Surrounding Habitat**

BL3: Artificial Surfaces: This habitat incorporates all hardcore areas where artificial surfaces exist onsite including roads and buildings. The tarmacked access road on the north-eastern boundary of the study area will be cleared of bramble back to the kerb to allow for surface run-off as shown in Plate 3.

Plate 3: BL3: Artificial Surfaces

Other buildings and artificial surfaces present within the study area include other houses and concrete walls, including No. 40 Church Manor which is located between the proposed sites. Buildings and artificial surfaces (BL3) is a highly modified habitat type, comprised of manmade materials with no particular biodiversity potential and as such is of no particular biodiversity value.

GA2: Amenity Grassland and **WS3:** Non-Native Ornamental Shrubberies present, adjacent but off-site from the study area, are associated with the existing residential development. Ornamental/non-native shrubberies is a highly modified habitat type, comprised of non-native species with low biodiversity potential and as such is of lower local value. The amenity grassland is regularly maintained by mowing with a resulting very short sward, which is species poor and dominated by grasses (e.g. Rye-grasses, Fescues, Meadow grasses and Yorkshire Fog). Amenity grassland is a modified grassland habitat which is regularly managed for amenity purposes and as such has low biodiversity potential and is of lower local value.

To the west of the proposed sites is a field of improved grassland. North of the sites is the habitats at the rear of the buildings. Some of these are maintained as amenity grassland (**GA2**), whereas others are overgrown, dominated with grasses, bramble, and nettle with locally frequent Elder, Willow and Apple. Two parallel treelines (**WL2**) of mature trees; Ash and Sycamore, separate the boundary of each plot. These areas off-site are of biodiversity value. Treelines are evaluated as being of local importance (higher value). Area of scrub may be of value as wildlife commuting routes or as sheltered habitat for small mammals and birds. Amenity grassland is evaluated as being of local importance (lower value).

Invasive Species

No invasive alien species as listed on the Third Schedule of the European Communities (Birds and Natural Habitats) Regulations, 2011 (S.I. No. 477 of 2011) Part 1 or 2 were recorded within the site under survey at manor Gardens, Church Manor, Ballina, Co. Mayo

Mammals

A thorough walkover survey was undertaken over the sites to investigate the presence of mammalian species. The site was also evaluated in terms of its potential to host other mammalian species. No mammalian species were directly observed on the site on the 14th of September. No species were observed in the area and no evidence of mammal usage was found following a search for droppings or markings that would indicate that certain species are using the site. The habitats north of the site may support a variety of species due to the presence of a good variety of habitats including grassland, scrub and treelines. It is probable that common small mammal species such as Wood Mouse (*Apodemus sylvaticus*), Pygmy Shrew (*Sorex minutus*) and Brown Rat (*Rattus norvegicus*) use the site. In addition, it is also likely that foxes (*Vulpes vulpes*), Hare (*Lepus timidus*), Rabbit (*Oryctolagus cuniculus*), and Hedgehog (*Erinaceus europaeus*) may be found on the site.

Birds

Records were taken of bird species seen or heard on the 14th of September. The bird species recorded were typical of the habitat types found on the site and adjacent lands. None of the bird

species recorded on the field visit are protected under Annex I of the EU Birds Directive or listed on the Birds of Conservation Concern in Ireland (BoCCI) Red or Amber Lists.

Water Features and Quality

The application site is located within the Moy and Killala Bay Hydrometric Area and Catchment and the Moy Sub-Catchment and Sub-Basin. A review of Ordnance Survey Ireland (OSI) Geographical Information System (GIS) data, OSI mapping on GeoHive.ie, and recent aerial photography indicates that there are no watercourses or field drains within or in the vicinity of the proposed Project sites. The closest watercourse to the application site is the River Moy, which is 385m west of the application site. This river flows north into Killala Bay.

Directive 2000/60/EC (the Water Framework Directive) was adopted by the European Parliament and Council in 2000. The Water Framework Directive (WFD) establishes a legal framework for the protection, improvement and sustainable management of inland surface waters, transitional waters, coastal waters and groundwater. The aim of the WFD is to prevent the deterioration in the existing status of waters (including the maintenance of "High Status" where it exists) and to ensure that all waters, with some limited exceptions, achieve at least "Good Status". The EPA have classed the ecological status of the River Moy at a location c.500m from the application site as 3/4 meaning it is of moderate ecological status. Under the requirements of the Water Framework Directive this is unsatisfactory as it is required that at least 'good' status (Q4) is achieved in this waterbody.

An Annual Environmental Report (2020) prepared for Ballina Wastewater Treatment Plant (D0016-01) in accordance with the requirements of the wastewater discharge licence for the agglomeration shows that the WWTP is compliant with the ELV's set in the Wastewater Discharge Licence.

Following examination of the relevant GIS information in relation to flood risk assessment, the site of the proposed development is not within a flood risk area. Geographical Survey Ireland (GSI) mapping indicates the application site lies in an area of moderate vulnerability and in an area of Rk- Regionally Important Aquifer - Regionally important aquifers are capable of supplying regionally important abstractions (e.g. large public water supplies).

3.3 Construction Methodology

A Construction Stage Method Statement will be requested from the Works Contractor's as part of their Works Proposals, which will be in compliance to the EPA's Best Practice Guidelines for the preparation of resource and waste management plans for construction & demolition projects. The construction phase will be approximately 12 months from commencement. Construction will

concur with Mayo County Council appropriate Health and Safety standards and Safety Management Systems.

The design of the project provided by Mayo County Council demonstrates that the design of the project has considered that all necessary measures and best practice will be put in place to avoid any impacts to the Natura 2000 sites occurring.

4 SCREENING ASSESSMENT

This stage of the process identifies any likely significant effects upon European Sites from the proposed project, either alone or in combination with other projects or plans.

4.1 Identification of Relevant Natura 2000 Sites

In accordance with guidance from the *Appropriate Assessment of Plans and Projects in Ireland, Guidance for Planning Authorities* (2010), all designated sites within a distance of 15km from the proposed project site were identified to assess for potential impacts. A standard source-receptor-pathway conceptual model was used to identify 'relevant' European sites (i.e. those which could be potentially affected). For significant effects to arise, there must be a risk enabled by having a:

- Source(s) – e.g. sediment run-off from construction works at proposed project site
- Receptor(s) – e.g. qualifying habitats and/or species of European Sites
- Pathway(s) – e.g. a watercourse connecting proposed project site to a European site

The identification of a pathway does not automatically mean that significant effects will arise. The likelihood for significant effects will depend upon the characteristics of the source (e.g. duration of construction works), the characteristics of the pathway (e.g. water quality status of watercourse receiving run-off from construction) and the characteristics of the receptor (e.g. the sensitivities of the European site and its qualifying interests).

It is common practise to use a 15 km buffer around the proposed project to screen potential off-site impacts on other Natura 2000 sites (see DEHLG, 2009). However, this is an arbitrary limit and, if there is potential for secondary impacts to occur at greater distances, then such impacts must be assessed. Seven Natura 2000 sites within an area extending 15km around the proposed project have been considered for potential impacts. These sites, their conservation interests and the potential for interactions leading to significant adverse effects arising from the proposed project are identified for each site and are exhibited in Table 1. It has been evaluated that a wider radius was not required in the absence of pathways identified by which sites outside of this radius could potentially be affected.

Table 1: Designated Natura 2000 sites which are located within a 15km radius of the proposed site. The potential for impacts affecting the qualifying interests is identified.

NATURA 2000 SITE [SITE CODE]	DISTANCE FROM PROPOSED PROJECT (KM) ²	FEATURES OF INTEREST	POTENTIAL FOR IMPACTS IDENTIFIED
River Moy SAC [002298]	0.385 KM	Lowland hay meadows (<i>Alopecurus pratensis</i> , <i>Sanguisorba officinalis</i>) [6510] Active raised bogs [7110] Degraded raised bogs still capable of natural regeneration [7120] Depressions on peat substrates of the Rhynchosporion [7150] Alkaline fens [7230] Old sessile oak woods with <i>Ilex</i> and <i>Blechnum</i> in the British Isles [91A0] Alluvial forests with <i>Alnus glutinosa</i> and <i>Fraxinus excelsior</i> (<i>Alno-Padion</i> , <i>Alnion incanae</i> , <i>Salicion albae</i>) [91E0] <i>Austropotamobius pallipes</i> (White-clawed Crayfish) [1092] <i>Petromyzon marinus</i> (Sea Lamprey) [1095] <i>Lampetra planeri</i> (Brook Lamprey) [1096] <i>Salmo salar</i> (Salmon) [1106] <i>Lutra lutra</i> (Otter) [1355]	Potential for disturbance related impacts relating to construction and operational use of project. Include in further assessment.
Killala Bay/Moy Estuary SAC [000458]	0.524 KM	Estuaries [1130] Mudflats and sandflats not covered by seawater at low tide [1140] Annual vegetation of drift lines [1210] Vegetated sea cliffs of the Atlantic and Baltic coasts [1230] <i>Salicornia</i> and other annuals colonising mud and sand [1310] Atlantic salt meadows (<i>Glauco-Puccinellietalia maritimae</i>) [1330] Embryonic shifting dunes [2110] Shifting dunes along the shoreline with <i>Ammophila arenaria</i> (white dunes) [2120]	Potential for disturbance related impacts relating to construction and operational use of project. Include in further assessment.

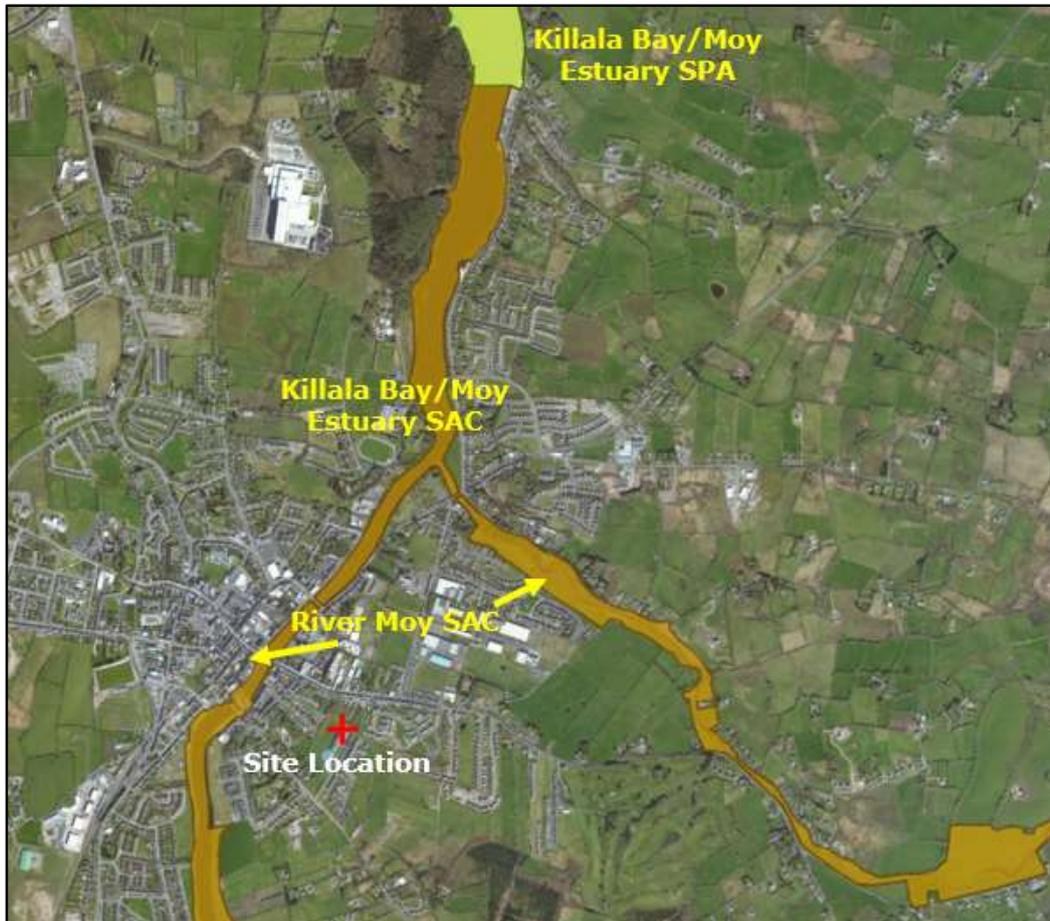
² Distances indicated are the closest geographical distance between the proposed Project and the European site boundary, as made available by the NPWS. Connectivity along hydrological pathways may be significantly greater

		Fixed coastal dunes with herbaceous vegetation (grey dunes) [2130] Humid dune slacks [2190] Vertigo angustior (Narrow-mouthed Whorl Snail) [1014] Petromyzon marinus (Sea Lamprey) [1095] Phoca vitulina (Harbour Seal) [1365]	
Killala Bay/Moy Estuary SPA [004036]	2.808 KM	Ringed Plover (Charadrius hiaticula) [A137] Golden Plover (Pluvialis apricaria) [A140] Grey Plover (Pluvialis squatarola) [A141] Sanderling (Calidris alba) [A144] Dunlin (Calidris alpina) [A149] Bar-tailed Godwit (Limosa lapponica) [A157] Curlew (Numenius arquata) [A160] Redshank (Tringa totanus) [A162] Wetland and Waterbirds [A999]	Potential for disturbance related impacts relating to construction and operational use of project. Include in further assessment.
Lough Conn and Lough Cullin SPA [004228]	6.3 KM	Tufted Duck (Aythya fuligula) [A061] Common Scoter (Melanitta nigra) [A065] Common Gull (Larus canus) [A182] Greenland White-fronted Goose (Anser albifrons flavirostris) [A395] Wetland and Waterbirds [A999]	Having regard to the hydrological connectivity of the proposed site to this SPA, there is potential for impacts upon the QI's of this site arising from deteriorations in water quality. Include in further assessment.
Lough Hoe Bog SAC [000633]	8.931 KM	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Blanket bogs (* if active bog) [7130] Vertigo geyeri (Geyer's Whorl Snail) [1013] Austropotamobius pallipes (White-clawed Crayfish) [1092]	There is no hydrological connectivity, and therefore significant effects upon this site will not arise. Exclude from further assessment.
Ox Mountains Bog SAC [002006]	11.417 KM	Oligotrophic waters containing very few minerals of sandy plains (Littorelletalia uniflorae) [3110] Natural dystrophic lakes and ponds [3160] Northern Atlantic wet heaths with Erica tetralix [4010] European dry heaths [4030] Blanket bogs (* if active bog) [7130]	There is no hydrological connectivity, and therefore significant effects upon this site will not arise. Exclude from further assessment.

		Transition mires and quaking bogs [7140] Depressions on peat substrates of the Rhynchosporion [7150] Vertigo geyeri (Geyer's Whorl Snail) [1013] Saxifraga hirculus (Marsh Saxifrage) [1528]	
Lough Nabrickeagh Bog SAC [000634]	14.927 KM	Blanket bogs (* if active bog) [7130]	There is no hydrological connectivity, and therefore significant effects upon this site will not arise. Exclude from further assessment.

The proposed sites A and site B at their closest are ~ 0.38 KM east of the River Moy SAC designation which is hydrologically connected to Killala Bay/Moy Estuary SAC and Killala Bay/Moy Estuary SPA 0.52 Km and 2.8 KM respectively to the north as shown in Figure 2. No works are to take place within these designated sites.

Figure 2: Proposed works in relation to Natura 2000 sites



The site synopsis and information on the conservation objectives for each of these sites is available on www.npws.ie. Other Natura 2000 sites were identified within a 15 km radius of the proposed project, as shown in Table 1 above but owing to distance and lack of connectivity with the proposed project they are consequently screened out from further consideration.

4.2 Ecological Network Supporting Natura 2000 Sites

An analysis of the proposed Natural Heritage Areas and designated Natural Heritage Areas in terms of their role in supporting the species using Natura 2000 sites was undertaken. It was assumed that these supporting roles mainly related to mobile fauna such as mammals and birds which may use pNHAs and NHAs as "stepping stones" between Natura 2000 sites. Article 10 of the Habitats Directive and the Habitats Regulations 2011 place a high degree of importance on such non-Natura 2000 areas as features that connect the Natura 2000 network. Features such as

ponds, woodlands and important hedgerows were taken into account during the rest of the AA process. There are no Natural Heritage Areas or proposed Natural Heritage Areas that will be affected by the proposed Project. Area of scrub and treelines north of the site may be of value as wildlife commuting routes or as sheltered habitat for small mammals and birds. It is intended to cause minimum interruption to the existing surrounding landscaping with some new areas of native planting proposed.

5 IDENTIFICATION OF POTENTIAL IMPACTS AND ASSESSMENT OF SIGNIFICANCE

The proposed Project is not directly connected with or necessary for the management of the sites considered in the assessment and therefore potential impacts must be identified and considered.

5.1 *Assessment of Potential Impacts*

In the event of the generation of silt laden waters and construction phase pollutants; e.g. silted waters, hydrocarbons, aggregates etc. carrying such potential pollutants to the site's drainage channels, could result in impacts to the River Moy and in turn Killala Bay/Moy Estuary SAC and Killala Bay/Moy Estuary SPA. These potential pollution events could contribute to nutrient enrichment, causing a decline in water quality and habitat quality which would impact negatively on the Qualifying Interests (QI's) of the Natura 2000 sites listed in Table 1.

During the construction and operation phases, increased noise levels and the presence of machinery and humans could potentially impact negatively on the Annex II species and other important species for which the Natura 2000 sites are designated.

Adverse effects as a result of the proposed Project are unlikely given:

- The nature, scale and location of the proposed development: The proposed Project consists of 3 No. residential units within the suburban environment in the town of Ballina, within the existing Church Manor estate;
- The proposed development is to be connected to the existing public system for the treatment of wastewater, disposal of surface water and connection to public watermains for domestic water supply;
- The lack of surface hydrological pathways linking the proposed development to any European sites; there are no water courses in the vicinity of the proposed Project. The only potential for release of pollutants is through the existing sewer network. Any silt runoff or hydrocarbons would undergo mixing within the drainage network prior to reaching Ballina WWTP, like what is currently the case, where it is treated before release into the River

Moy. Best practice environmental controls will be required of the contractor as a standard requirement by Mayo County Council. This includes appropriate waste measures, requirement for spill kits to be available on site and also appropriate storage of chemicals and materials to be used during construction e.g. cement, sand and spoil etc

- The distance between the proposed development and any European sites: The proposed sites A and site B at their closest are ~ 0.38 KM east of the River Moy SAC designation which is hydrologically connected to Killala Bay/Moy Estuary SAC and Killala Bay/Moy Estuary SPA, 0.52 Km and 2.8 KM respectively to the north as shown in Figure 3. No works are to take place within these designated sites;

Given the above analysis, it is considered that there will be no potential for significant effects on any of the European sites considered and therefore potential effects on European sites can be excluded at a preliminary screening stage.

5.2 *Assessment of Potential In-Combination Effects*

In accordance with the EU guidance document on Appropriate Assessment, "Assessment of Plans and Projects Significantly Affecting Natura 2000 Sites", other plans and projects in the area must be considered at the screening stage. This is required in order to identify any possible cumulative or in combination impacts of the proposed project with other plans or developments on the relevant Natura 2000 sites. Existing plans and projects which have been examined include:

- Mayo County Development Plan 2014-2020
- Ballina and Environs Development Plan 2009-2015(as extended).
- Mayo County Council Planning Tool

It is a policy of Ballina Town Council and Mayo County Council to ensure that all plans and projects which would, either individually or in combination with other plans and projects, have a significant impact on a Natura 2000 site, will be subject to Habitats Directive Screening, and if required, Appropriate Assessment, to determine if the proposed development is environmentally sustainable and to ensure it will not affect the integrity of the site or its habitats or the conservation objectives of the site

The Mayo County Council planning map tool was used to identify any current or future or projects which may potentially impact on Natura 2000 sites when considered in combination with the proposed development. In the preceding five years, many planning applications have been granted planning permission in Ballina. Where necessary, these applications were screened for AA, or else full AA was deemed necessary, and an NIS was subsequently submitted. The proposed development will have no significant effects upon any designated site when considered in

combination with other developments that have been properly screened or where mitigation is required following AA.

Any future application in the area that has the potential to impact upon a Natura 2000 site will be subjected to Appropriate Assessment as required under Articles 6(3) of the Habitats Directive. This current development will have no cumulative impacts upon the SACs / SPAs identified when considered in combination with any other development that has been screened for no impacts themselves (Stage 1) or where potential impacts have been mitigated against (Stage 2 AA / NIS).

6 SCREENING ASSESSMENT CONCLUSION

It is considered that the proposed project does not include any element that has the potential to significantly alter the favourable conservation objectives associated with the species and habitats or interfere with the key relationships that define the structure or function, either alone or in combination with other impacts, of the Natura 2000 sites considered in this document. This is provided that strict adherence to design measures, appropriate construction methods, standard operating procedures and Mayo County Council safety management system is undertaken.

In conclusion, it is concluded beyond reasonable scientific doubt, in view of best scientific knowledge, on the basis of objective information and in light of the conservation objectives of the relevant European sites, that the Proposed Development at Manor Gardens, Church Manor, Ballina, Co. Mayo, individually or in combination with other plans and projects, will not have a significant effect on any European Site. Consequently, this proposed project does not require a NIS or need to advance in the Appropriate Assessment process. However, a determination of the need for a Stage 2 'Appropriate Assessment and the preparation of a Natura Impact Statement will be decided upon by the Competent Authority (Mayo County Council).

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